

Appl. No.: 10/812,123
Amdt. dated 05/09/2006
Reply to Office action of February 9, 2006

REMARKS/ARGUMENTS

Reconsideration and allowance of the above identified application is respectfully solicited in light of the following remarks and arguments.

The Present Invention

To briefly summarize, the single base Claim 1 of the present application defines the invention as comprising a spinneret assembly for melt spinning a plurality of strand-like filaments, which includes a plurality of internal parts composed of at least one inlet component 2 and a spinneret plate 3 which are braced relative each other in a housing 1 by a supporting means. The inlet component 2 forms a melt inlet 5, and the spinneret plate 3 forms a melt outlet by means of a plurality of spin holes 4. To achieve a self-sealing between the internal parts during operation, the invention provides for arranging an expansion body 8 between the housing 1 and one of the internal parts. The expansion body 8 is formed of a material which has a higher thermal expansion coefficient than the housing material, and it generates, upon being heated, a pressure force inside the housing which provides for a self-sealing bracing of the internal parts.

The §103 Rejection Based Upon Lenk '379, Babin '732, and Trott '498

In the Official Action, Claims 1-6 and 11-14 were rejected upon a proposed combination of Lenk '379 in view of Babin '732 or Trott '498. With regard to this rejection, and the other rejections discussed below, it is submitted that Babin '732 is not prior art under §103 of the patent statute, in light of the fact that the invention of base Claim 1 is entitled to a priority date of 28 September 2001, which

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precedes the earliest possible prior art date of Babin '732, which is February 4, 2002. In support of this contention, the Examiner's attention is directed to the certified copy of priority application DE 101 48 191.8 which was filed concurrently with the present application, and to the translation of the priority application which is attached to the Appendix of this Amendment. The applicant hereby states that the translation is accurate, note Section 201.15 of the MPEP. Also, it will be apparent that the priority application supports the invention defined in Claim 1.

Lenk '379 discloses a melt spinning nozzle assembly which comprises a stationary feed member 2 having a vertical passage 25, a case 3 joined to the feed member 2 and which defines a cylindrical cavity 19, and a plurality of spinning elements including an axially moveable piston 5 and die plate 4, stacked in the cavity. A gasket or sealing member 7 forms a seal at the top of the stack, and another gasket 7' forms a seal at the bottom of the stack. In operation, the pressure of the melt urges the piston 5 upwardly against the feed member 2 and urges the die plate downwardly against the gasket 7' and the support flange 10, to effect "automatic seals", note column 4, lines 39-48.

The Examiner has taken the position that Trott would teach that the gaskets 7 and 7' of Lenk '379 could be formed of a material which has a higher thermal expansion coefficient than the housing material as claimed. However, such a modification of Lenk '379 would not be considered by one skilled in the art, since it would counteract the desired "automatic seals" as described above.

In addition, it is submitted that Trott teaches away from the present invention. Trott relates to an extruder having a seal for a slide plate in a polymer filtration apparatus, and

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in discussing the prior art, Trott notes a prior device wherein the seal is biased against the slide plate with an expandable polymer ring, note the paragraph beginning at column 1, line 41. The expandable polymer ring has a coefficient of thermal expansion greater than the metal housing so that when the extruder is heated, the ring expands radially outwardly so as to wedge the seal into contact with the slide plate. However, Trott teaches that this construction is disadvantageous, particularly at temperatures above 500°F, note column 1, lines 55-60. Thus Trott would not have suggested such a sealing ring in the structure disclosed in Lenk '379. In addition, the Trott sealing ring is designed to exert a radial force against the thrust surface of a seal to bias the seal in the axial direction, and this is quite different from the axially expandable seal of the present invention, note for example Claim 2 of the present application. This difference further militates against the obviousness of the proposed combination.

The §103 Rejection Based Upon Kretzschmar '947, Babin '732, and Trott '498

Claims 1-4, 6, and 10-13 were rejected upon a proposed combination of Kretzschmar '947 in view of Babin '732 and Trott '498. Kretzschmar '947 discloses in Fig. 5 a spin beam nozzle package wherein a nozzle pot 6 is inserted into a receptacle 2. The nozzle pot 6 consists of layered components including a nozzle plate 9, a filter housing 10, and a thread nut 11. A packing ring 20 is positioned so as to be pressed by the melt to form a seal between the filter housing 10 and the nozzle plate 9, note column 8, lines 15-24. There is no teaching in Kretzschmar '947 of the concept of fabricating the seal of a material which upon heating generates a pressure

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force which seals the components in the housing, as claimed. Also, such a modification of Kretzschmar '947 would not have been suggested by Trott for the reasons outlined above.

The §103 Rejection Based Upon Schroeder '052, Babin '732, and Trott '498

Claims 1-8 and 13 were rejected upon a proposed combination of Schroeder '052 in view of Babin '732 and Trott '498.

In formulating this rejection the Examiner has referred to Fig. 4, which shows a bushing seal 51 to seal the interface between the tubular post 12 and the ring 18, and a second bushing seal 52 forming a seal at the interface between the ring 18 and the casing 1. These seals are designed to be radially expanded during the assembly of the spinning head, note column 5, lines 14-21. There is no apparent reason why one would want to form the seals 51 and 52 of a material which expands upon heating, since such expansion would have no effect on the components in the spinning head, note Fig. 1. Also, Trott would not have suggested this modification of Schroeder '052 for the reasons outlined above.

The Rejections of Claims 9, 14, and 15

The German documents DE 19935982, DD 125421, and DE 19932852 have been added to the rejections discussed above, in order to reject dependent Claim 9. However, these German documents do not supply the deficiencies of the primary references as discussed above, and Claim 9 is similarly seen to be allowable.

Similarly, the further references to Goossens '499, Kilsdonk '854, and Lenk '444, which have been applied in the rejections of dependent Claims 9, 14, and 15, respectively, do

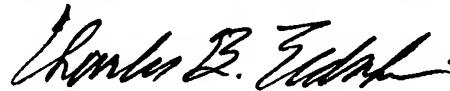
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not supply the deficiencies of the primary references as discussed above, and are also allowable.

Conclusion

For the reasons set forth above, it is submitted that all of the pending claims are in condition for immediate allowance, and such action is solicited.

Respectfully submitted,

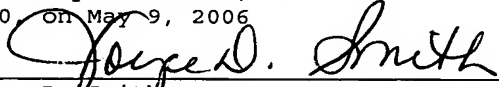


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